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Gildo Tori, Director of Public Policy, Ducks Unlimited

TESTIMONY REGARDING HOUSE BILL 5854 AND HOUSE BILL 5855:

Bills related to amending Section 30301 (MCL 324.30301) as amended by 2012 PA 247 and amending Section 30312 (MCL 324.30312d) as amended by 2013 PA 98, and by adding Section 30312f, respectively.

House Committee on Natural Resources Meeting: May 9th, 2018

Good morning Mr. Chairman and members of the House Natural Resources Committee. My name is Gildo Tori, Director of Public Policy for Ducks Unlimited's Great Lakes/Atlantic Region, which encompasses 21 states in the NE/MW portion of the United States.

Good government policy should reward and incentivize stewardship of our natural resources, not stand in the way. Unfortunately, the current regulatory environment is standing in the way and so change is necessary. HB 5854 and HB 5855 will give the state of Michigan the regulatory tools needed to advance and incentivize the benefits created by voluntary wetland restoration and management.

This is not a new idea; in 2013 the Association of Wetland Managers assembled a national team of wetland regulators and wetland practitioners to try and improve the permitting system for Voluntary Wetland Restoration. Even with the many recommendations generated, the report failed to remedy the heart of the issue; that being that our current wetland regulations are focused primarily on Protecting All Wetlands, whether they are healthy and intact or altered and degraded.

The primary reason for this proposed change is that current wetland protection law focuses on avoidance, minimization and mitigation of any impacts to wetlands, even on projects that restore altered or degraded wetlands and result in net gains of wetland acres, functions and values. This administrative and legal process has resulted in unnecessary and costly delays and lost opportunities, resulting in negative impacts to wetland projects meant to provide a net gain in wetland acres, functions, and values to Michigan citizens, fish and wildlife, and other natural resources. These voluntary wetland projects are developed collaboratively by numerous stakeholders and typically at the direction of international (North American Waterfowl Management Plan), national (Great Lakes Restoration Initiative), state (Michigan Wildlife Action Plan), or local partnership planning efforts (watershed plans).

The DNR owns, manages and maintains more wetlands than any other agency or organization in Michigan. In contrast to the DEQ, the underlying philosophy of the DNR related to wetlands is to maximize, manage, and maintain these precious resources to meet the needs of fish and wildlife, natural resources and the citizens of Michigan, and thus DNR would be the most appropriate agency to administer VWR project permitting.

The new VWR project permitting system under the DNR will greatly facilitate and advance wetland restoration projects and ensure wetland management and maintenance without undo regulatory burden. In addition, the VWR program now housed within the DNR will free up resources in DEQ to focus their efforts on what they do best - regulatory wetland protection and wetland mitigation administration.